

REMARKS

Claims 1, 3-6, and 23-31 are now presented for examination. Claims 1 and 3-6 have been amended to define still more clearly what Applicants regard as their invention. Claims 23-31 have been added to assure Applicants of a full measure of protection of the scope to which they deem themselves entitled. Claims 1, 23, 28 and 30 are in independent form.

Claims 1 and 3-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,278,234 (*Ono et al.*) in view of U.S. Patent No. 6,422,824 (*Lee et al.*).

Independent Claim 1 recites an image display device comprising, in an airtight container, an electron source, an image display member, and a getter film. The image display member faces the electron source to receive electrons from the electron source. The getter film comprises an evaporating getter film and a non-evaporating getter film laminated successively on the image display member in the airtight container.

Notable features of amended Claim 1 are the evaporating getter film and non-evaporating getter film laminated successively on an image display member.

The Office Action relies on *Ono et al.* as teaching “an image display device comprising, in an airtight container, an electron source (column 6, line 52, and 1 of fig. 1), an image display member (column 6, lines 55-58, and 4 of fig. 1); and a getter (column 6, line 57, and 9 of fig. 1), the image display member facing the electron source to receive electrons from the electron source (column 6, lines 50-58, and 1, 4, and 5 of fig. 1),

wherein the getter comprises a first getter and a second getter laminated successively on said image display member in the airtight container.” Nonetheless, the Office Action then concedes that *Ono et al.* "do not disclose the one of the first getter and second getter to be an evaporating getter, the other a non-evaporating getter." Indeed, nothing in that reference would teach or suggest an image display device in which a getter comprises an evaporating getter and a non-evaporating getter laminated successively on an image display member in an airtight container, as set forth in Claim 1.

Independent Claim 23, as amended, is directed to an image display device comprising, in an airtight container, an electron source, an image display member, and a getter film. The image display member includes a metal back and faces the electron source to receive electrons from the electron source. The getter film comprises an evaporating getter film and a non-evaporating getter film laminated successively on the metal back in the airtight container.

Notable features of amended Claim 23 are the evaporating getter film and non-evaporating getter film laminated successively on the metal back.

Independent Claim 30, as amended, is directed to an image display device comprising, in an airtight container, an electron source, an image display member including a metal back, and a getter film. The image display member faces the electron source to receive electrons from the electron source, wherein the getter film comprises a first getter film and a second getter film of an ingredient different from that of the first getter film.

The first and second getter films are laminated successively on the metal back in the airtight container.

A notable feature of Claim 30 is the first and second getter films being laminated successively on the metal back in the airtight container.

At col. 17, lines 27-30 of *Ono et al.*, it is described therein that a getter film 9 of an Ti—Al alloy was formed to a thickness of 50 nm on the metal back. Accordingly, *Ono et al.* discloses the getter as containing two components, namely Ti and Al. However, nothing in *Ono et al.* would teach or suggest a configuration wherein a plurality of getter films are laminated successively on an image display member, as recited in Claim 1.

Even if, assuming *arguendo*, the metal back described at col. 17, lines 27-30 of *Ono et al.* be deemed a getter, nothing in either that portion of *Ono et al.*, nor anywhere else in *Ono et al.*, would teach or suggest (a) an evaporating getter film and a non-evaporating getter film laminated successively on that metal back in an airtight container, as set forth in Claim 23, and (b) a first getter film and a second getter film of an ingredient different from that of the first getter film, wherein the first and second getter films are laminated successively on the metal back, as set forth in Claim 30.

Further, even if, assuming *arguendo*, the nitride layer described at col. 17, lines 27-30 of *Ono et al.* be deemed a “getter”, the nitride layer is described as being removed in a subsequent getter activation step, from col. 8, line 62 through col. 9, line 3 of *Ono et al.*, is finally removed, and therefore is contained in the getter film of the display device.

For the above-noted reasons, nothing in *Ono et al.* would teach or suggest the above-emphasized features of Claims 1, 23, and 30.

The Office Action relies on *Lee et al.* for supplying what is missing from *Ono et al.*

Lee et al. discloses, as a relation between an evaporative getter and a non-evaporative getter, merely that an evaporative getter is positioned juxtaposed to a non-evaporative getter in a cavity of a device (col. 3, lines 3-6), and arranged in unique positions such that ions emitted by the evaporative getter upon activation substantially shield the non-evaporative getter so that gases emitted by the non-evaporative getter when activated do not affect a state of vacuum in the vacuum display panel (col. 5, lines 30-35). More specifically, at col. 3, lines 3-6, *Lee et al.* states "It is a further object of the present invention to provide a getter assembly for use in a vacuum display panel wherein an evaporative getter is positioned juxtaposed to a non-evaporative getter in a cavity of the device." Such juxtaposition can be understood in Figs. 1 and 2 of the *Lee et al.* For example, and as described at col. 6, lines 53-56, "EG coating layers 28 [understood to be an evaporative getter layer] are formed on the inside walls 26 of the upper glass plate 12 and the lower glass plate 16 substantially surrounding the non-evaporation gather 32." Also by example, according to col. 6, lines 19-33, Fig. 2 shows:

"It is only the unique discovery of the present invention that since the absorption by Ba ions functions in a passive manner, i.e., the Ba ions are of large size and therefore are not very active, the residual gas to be absorbed must approach the ions in order for the absorption process to take effect. Since the NEG powder normally has large surface

areas, the absorption rate by the NEG powder is high. In a typical absorption process by the getter assembly, the evaporative getter is first utilized and activated, the non-evaporative getter is then activated which let out gases during its operation. When the two getters, i.e., the evaporative and non-evaporative, are positioned far away, gases let out by the non-evaporative getter, even though at a small amount, cannot be absorbed by the Ba ions from the evaporative getter."

It is respectfully submitted that, even if *Lee et al.* be deemed to refer to juxtaposition of evaporative and non-evaporative getters, nothing has been found, or pointed out, in *Lee et al.*, that would disclose or suggest an image display device in which a getter comprises an evaporating getter and a non-evaporating getter laminated successively on an image display member in an airtight container, as set forth in Claim 1. Neither is *Lee et al.* understood to teach or suggest the substantially similar features (to those of Claim 1) recited in Claims 23 and 30.

Accordingly, Claims 1, 23, and 30 are believed to be clearly patentable over *Ono et al.* and *Lee et al.*, whether considered separately or in combination.

Claim 28 recites features similar to those of the independent claims emphasized above, and also is believed to be clearly patentable over *Ono et al.* and *Lee et al.*, for substantially the same reasons as those argued above.

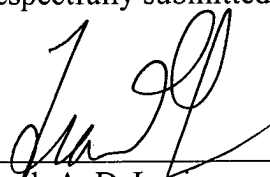
A review of the other art of record has failed to reveal anything which, in Applicants' view, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons as are those claims. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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